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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/541,930	07/11/2005	Charles Chuanming Wang	PU030015	6068
24498	7590	08/27/2008		
Joseph J. Laks Thomson Licensing LLC 2 Independence Way, Patent Operations PO Box 5312 PRINCETON, NJ 08543			EXAMINER SMITH, CREIGHTON H	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 08/27/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/541,930	Applicant(s) WANG ET AL.	
	Examiner Creighton H. Smith	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Remarks filed 16 JUL '08.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 10-14 and 18-23 is/are rejected.
- 7) ☒ Claim(s) 8, 9, 16 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07 AUG '08</u> | 6) <input type="checkbox"/> Other: _____ |

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13, 14, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheung, U.S. Patent #6,781,601 in view of Thompson, U.S. Patent #5,856,973 and Tucker et al, U.S. Pat. App. Pub. #2002/0194606 .

Cheung discloses in Fig. 1 and col. 2, lines 60 et seq. a transport processor that transports input streams of MPEG 2 to a video channel. In col. 6, lines 48 et seq. Cheung discloses that input synchronizers 302a-c synchronize incoming packets in MPEG 2 format. Cheung contemplates that the input streams may comprise data packets. In col. 3, lines 2 et seq. Cheung discloses that each input stream includes multiple programs, where each program is identified by a program ID ("PID"). Cheung's program ID ("PID") is the equivalent to applicant's packet ID ("PID"). Later in lines 20-25 of col. 3 Cheung discloses that each input stream comprises a header and payload and in the header is the PID info. In lines 25 et seq. of col. 3 Cheung discloses that the payload information comprises program specific information ("PSI"), Packetized Elementary Stream ("PES"). The PSI comprises information such as a program associated table, program map table, network information table, and a conditional access table. In col. 4, lines 10, 17, 23, Cheung discloses a demultiplexer, but does not disclose that the video streams are demultiplexed based upon the PID. In col. 10, lines

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34-35, Cheung discloses that the transport processor may send the video streams out over multicast addresses (24).

Thompson discloses in his Abstract a method for communicating MPEG 2 video data, and in col. 3, lines 57 et seq. he discloses that based on the PID of a particular packet, the transport stream demultiplexer separates the packets. To have provided Thompson's teaching into Cheung transport processor of demultiplexing the packets based on the packet ID would have been obvious to a person having ordinary skill in the MPEG 2 communication arts.

Tucker et al disclose in the Abstract a method that allows videoconferencing data to be streamed and reassembled in a standard media format. In P.0007, Tucker et al disclose that videoconferencing endpoints communicate with each other via Real Time Transport Protocol (RTP). In P.0012 Tucker et al disclose that their method 1st receives data in a format appropriate for RTP and then reassembling that data into a format appropriate for computer systems. To have provided Tucker et al teaching of transmitting and receiving audio and video data in RTP format and used this teaching in Cheung would have been obvious to a person having ordinary skill in the art because both references are teaching the transmission of audio and video data packets in MPEG-2 format. The skilled practitioner with these references in front of her would have used common sense and found them readily combinable.

Claims 1, 3, 4, 6, 7, 10, 18, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheung in view of Thompson and Murakami et al, U.S. Patent

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Publication #2004/0052275, Tucker et al and Gage et al, U.S. Patent Publication #2002/0068584.

Murakami et al also teaches multiplexing video streams, ¶¶-0008 & 0009. In ¶-0011 Murakami et al discloses removing the headers from packets. Gage et al teach encapsulating the data packets in an encapsulation packet. The encapsulation packet has a destination address and is then transmitted to a mobile device, ¶-0016. In ¶-0083, Gage et al teach a multicast routing table. To have provided Murakami et al and Gage et al teachings of removing the headers from packets and also to encapsulate the data packets and deliver those encapsulated data packets to multicast addresses would have been obvious to a person having ordinary skill in this communications art because Cheung teaches multiplexing MPEG 2 video to multicast addresses; Murakami et al also teach the multiplexing of MPEG 2 video; and Gage et al teaches communicating streaming video to mobile devices (¶¶-0009 & 0010). Therefore the skilled practitioner in this type of communications art would have found these references readily combinable through the use of common sense. Examiner is not relying on Cheung to teach the removal of packet headers, but rather Murakami is cited to teach this step[.

Claims 2, 12, 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheung in view of Thompson and Murakami et al, Tucker et al, and Gage et al as applied to claim 1 above, and further in view of Newberg et al, U.S. patent Publication #2004/0131060.

Newberg et al in ¶-0085 disclose multicast addresses for communicating video, and in ¶-0028 discloses that it could be to a WLAN 312. To have provided Newberg et

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al teaching of delivering video to wireless devices in a WLAN in Cheung method would have been obvious to a person having ordinary skill in the art.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cheung in view Thompson and Murakami et al and Tucker et al and Gage et al as applied to claim1 above, and further in view of Tzeng, U.S. Patent Publication #2002/0085585.

Tzeng discloses in ¶-0088 that a cyclical redundancy check, 2 bits long, is attached to a packet, and in ¶-0335 discloses that these packets are sent to multicast addresses. To have used Tzeng's teaching of attaching a cyclical redundancy check (CRC) onto Cheung's packets before being multicast would have been obvious to a person having ordinary skill in the art.

Claims 8, 9, 16, 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication should be directed to Creighton H. Smith at telephone number 571/272-7546.

25 AUG '08

/Creighton H Smith/
Primary Examiner, Art Unit 2614